REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 1-7 are pending in this application. Claim 1 is amended. Claim 1 is the sole independent claim.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 1 and 3-7 are rejected under 35 U.S.C. §103(a), as being unpatentable over US 2001/0020297 ("INOUE") in view of US 2003/0106057 ("PERDON").

It is alleged in the Office Action at page 2 that paragraph **[0013]** of Inoue discloses "the data for the list of events including at least one identifier, textual data and a condition block," as recited in independent claim 1.

However, Applicants respectfully submit that the program guide of Inoue does not contain any "condition block," let alone "at least one identifier" and "textual data." In paragraph **[0013]**, Inoue discloses whether a user can view the selected program on the bases of the result of determining by the determining device. Inoue fails to disclose or fairly suggest that the program guide includes any "condition block" as required by independent claim 1.

Referring to FIG. 7 of Inoue, the Examiner alleges that Inoue discloses "the access conditions contained in the condition block are expressed in the form of an operation described by a request in a structured language," as recited in independent claim 1.

Applicants respectfully submit that Inoue fails to disclose or even suggest any structure language operation in FIG. 7. FIG. 7 of Inoue is a subroutine of a main routine shown in FIG. 6. The subroutine illustrated in FIG. 7 shows the processing of displaying the detailed information. As seen in FIGS. 6 and 7, and the

related disclosure, the subroutine of FIG. 7 performs the processing of displaying detail program information. FIG. 7 of Inoue does not relate to any "access conditions" as required by independent claim 1 and therefore fails to disclose or fairly suggest the same.

Admitting the deficiencies of Inoue in teaching "a first parameter" and "a second parameter" as recited in independent claim 1, the Examiner relies on the teachings of Perdon to overcome the noted deficiencies of Inoue. The Examiner alleges that Perdon in paragraph [**0025**] discloses "a second parameter [] being independent of the event or of a channel on which the event is broadcast."

Perdon is directed to a television navigation program guide, wherein the program guide can be used with a variety of systems capable of identifying shows expected to be of interest to viewers and rankings shows in order of preference. The program guide can offer recommendations and or organize by genre the program information that appears on the program guide. These recommendations include, for example, ranking shows or channels based on the viewers viewing history, show popularity, viewing habits or demographics of the viewer.

However, the recommendation and/or organization of the television program guide in Perdon are not based on the **access rights of the viewer**. These recommendations and/or organization of the program guide are viewer centric. Stated otherwise, the conditions that are used to customize the television program guide are all based upon a particular user and are not based upon any access rights. Perdon mainly concerns to a method for displaying information in a manner that a user can more easily find pieces of information he/she considers as relevant.

For at least all these reasons, Applicants submit that Perdon fails to overcome the noted deficiencies of Inoue. Accordingly, the alleged combination of Inoue and Perdon fails to render the limitations of independent claim 1 obvious to one of ordinary skills in the art.

Additionally, Applicants submit that Inoue and Perdon, alone or in combination, fail to disclose or fairly suggest "wherein said execution uses at least said first parameter that is directly linked to the event or to the channel on which the event is broadcast and said second parameter independent of the event of the event or of the channel on which the event is broadcast, the execution of said operation resulting in the attribution or the non-attribution of an access right, depending on both first and second parameters," as recited in independent claim 1.

Claims 3-7, dependent on claim 1, are also allowable at least for the reasons given above with respect to claim 1 and also on their own merits.

Therefore, Applicants respectfully request the Examiner withdraw the rejection of claims 1 and 3-7 under 35 U.S.C. §103.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 2001/0020297 ("INOUE") in view of US 2003/0106057 ("PERDON").

Claim 2, dependent on independent claim 1, is patentable for at least the reasons stated above with respect to claim 1 as well as for its own merits. Therefore, Applicants respectfully request the Examiner withdraw the rejection under 35 U.S.C. §103.

INTERVIEW REQUESTED

If the Examiner remains unconvinced by the arguments set forth above, the Examiner is respectfully requested to contact the undersigned at the number below to arrange for a mutually convenient time to conduct an interview in connection with the present application.

CONCLUSION

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Donald J. Daley at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By _____

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